

By: Ellis

S.B. No. 2363

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the award of attorney's fees to a property owner who  
3 prevails in a property tax appeal.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 42.29(a), Tax Code, is amended as  
6 follows:

7 Sec. 42.29. ATTORNEY'S FEES. (a) A property owner who  
8 prevails in an appeal to the court under [~~Section~~] Sections  
9 25.25(c) or (d), 42.25 or 42.26 may be awarded reasonable  
10 attorney's fees. The amount of the award may not exceed the greater  
11 of:

- 12 (1) \$15,000; or  
13 (2) 20 percent of the total amount by which the  
14 property owner's tax liability is reduced as a result of the appeal.

15 SECTION 2. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2009.